

**UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND**

EUGENE SCALIA,
SECRETARY OF LABOR,
UNITED STATES DEPARTMENT OF
LABOR,

Plaintiff,

v.

SOFIA & GICELLE, INC., *d/b/a Fast
Eddie's, Sports & Billiards, a corporation,*
and
MARIA AGUILAR, *individually, and as
President and owner of the aforementioned
corporation,*

Defendants.

Civil Action No. TDC-19-0934

ORDER

For the reasons stated in the accompanying Memorandum Opinion, it is hereby ORDERED that:

1. Plaintiff's Motion for Summary Judgment, ECF No. 38, is GRANTED IN PART and DENIED IN PART. The Motion is granted on (1) the recordkeeping violations; (2) for the period from October 22, 2015 to December 23, 2016, the minimum wage claims of service staff who have provided statements that they worked more than 18 hours per week; (3) the minimum wage claims of service staff who have provided statements that they did not receive sufficient tips to receive more than \$7.25 per hour in total compensation; (4) the service staff overtime pay claims relating to Camari Berri, James Hudson, D'Ann Johnson, Mary Parker, and Enrique Ferman; and (5) the kitchen staff

overtime pay claims relating to Joseph Yearwood and Paul Wolfe for the time period before May 6, 2016, based on the amounts of hours supported by witness statements, and the overtime claim relating to Jose Alvarez. The Motion is otherwise denied.

2. Defendants' Cross Motion for Partial Summary Judgment, ECF No. 48, is DENIED.

Date: December 30, 2020

/s/ Theodore D. Chuang
THEODORE D. CHUANG
United States District Judge